

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

JAMES CONTANT, MARTIN-HAN TRAN,
CARLOS GONZALEZ, UGNIUS MATKUS, JERRY
JACOBSON, and PAUL VERMILLION, on behalf of
themselves and all others similarly situated,

Plaintiff

Case Number

vs.

BANK OF AMERICA CORPORATION; BANK OF AMERICA, N.A.; MERRILL LYNCH, PIERCE, FENNER & SMITH INC.;
THE BANK OF TOKYO MITSUBISHI UFJ LTD.; BARCLAYS BANK PLC; BARCLAYS CAPITAL INC.; BNP PARIBAS
GROUP; BNP PARIBAS NORTH AMERICA, INC.; BNP PARIBAS SECURITIES CORP.; BNP PARIBAS PRIME
BROKERAGE, INC.; CITIGROUP INC.; CITIBANK, N.A.; CITICORP; CITIGROUP GLOBAL MARKETS INC.; CREDIT
SUISSE GROUP AG; CREDIT SUISSE AG; CREDIT SUISSE SECURITIES (USA) LLC; DEUTSCHE BANK AG;
DEUTSCHE BANK SECURITIES INC.; THE GOLDMAN SACHS GROUP, INC.; GOLDMAN, SACHS & CO.; HSBC
HOLDINGS PLC; HSBC BANK PLC; HSBC NORTH AMERICA HOLDINGS, INC.; HSBC BANK USA, N.A.; HSBC
SECURITIES (USA) INC.; JPMORGAN CHASE & CO.; JPMORGAN CHASE BANK, N.A.; MORGAN STANLEY;
MORGAN STANLEY & CO., LLC; MORGAN STANLEY & CO. INTERNATIONAL PLC; RBC CAPITAL MARKETS LLC;
ROYAL BANK OF SCOTLAND GROUP PLC; RBS SECURITIES INC.; SOCIÉTÉ GÉNÉRALE S.A.; STANDARD
CHARTERED BANK; UBS AG; UBS GROUP AG; and UBS SECURITIES LLC;

Defendant

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

IN RE FOREIGN EXCHANGE
BENCHMARK RATES ANTITRUST
LITIGATION

Plaintiff

Case Number

vs.

1:13-cv-07789-LGS

Defendant

Status of Earlier Filed Case:

☐

Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)

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Open

(If so, set forth procedural status and summarize any court rulings.)

The first Consolidated Amended Class Action Complaint was filed on 3/31/2014. The Court denied a motion to dismiss by the eleven Defendant groups named at the time on 1/28/2015. On 10/22/2015, nine of the sixteen Defendant groups named in this action moved for preliminary approval of settlements totaling \$2,009,075,000. ECF No. 479. On 12/15/2015, Judge Schofield preliminarily approved the settlements, designated a settlement administrator, and preliminarily certified the two settlement classes. ECF No. 536. A Second Amended Complaint was filed on 7/31/2015, ECF No. 368, and a Third Amended Complaint was filed on 6/3/2016. ECF No. 619. On 9/20/2016, the Court denied in part and granted in part a motion to dismiss brought by the seven Defendant groups that were not parties to the settlement. ECF No. 661.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

The newly filed case involves all of the same Defendants that are currently named in the newly filed case (Bank of America, Barclays, BNP Paribas, BTMU, Citigroup, Credit Suisse, Deutsche Bank, Goldman Sachs, HSBC, JPMorgan, Morgan Stanley, RBC, RBS, Société Générale, Standard Chartered, and UBS), and alleges the same anticompetitive misconduct. The earlier filed case asserts claims under the Sherman Act and the Commodity Exchange Act, on behalf of nationwide classes of direct purchasers of foreign currency instruments who purchased those instruments directly from one or more Defendants, co-conspirators, or U.S. financial exchanges. The newly filed case brings claims under the Sherman Act as well as state antitrust and consumer protection laws, on behalf of nationwide and state classes of indirect purchasers of foreign currency instruments who purchased those instruments indirectly from one or more Defendants and co-conspirators.

Signature: /s/ Joshua T. Ripley

Date: 4/28/2017

Berger & Montague, P.C

Firm: _____